

granted the motion and entered a default decree of condemnation and destruction.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

20503. Adulteration of bread. U. S. v. Max Frank (Frank's Bakery). Plea of guilty. Fine of \$100, plus costs. (F. D. C. No. 32812. Sample Nos. 48782-L to 48785-L, incl.)

INFORMATION FILED: September 4, 1952, Southern District of Iowa, against Max Frank, trading as Frank's Bakery, Davenport, Iowa.

ALLEGED SHIPMENT: On or about March 13, 1952, from the State of Iowa into the State of Illinois.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 24, 1953. The defendant having entered a plea of guilty, the court fined him \$100, plus costs.

20504. Misbranding of Cheddar-Ettes and Ricettes. U. S. v. 69 Cases, etc. (F. D. C. No. 34905. Sample Nos. 45172-L, 45173-L.)

LIBEL FILED: March 20, 1953, District of Massachusetts.

ALLEGED SHIPMENT: On or about February 9 and 25, 1953, by Twixt, Inc., from Long Island City, N. Y.

PRODUCT: 69 cases, each containing 12 jars, of Cheddar-Ettes, and 24 cases, each containing 24 jars, of Ricettes at Boston, Mass.

LABEL, IN PART: (Jar) "Overland Cheddar-Ettes Net Wt. 3½ Oz." and "Overland Ricettes Net Wt. 4 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the articles failed to bear labels containing an accurate statement of the quantity of the contents since the label statements (69-case lot) "Net Wt. 3½ Oz." and (24-case lot) "Net Wt. 4 Oz." were inaccurate. (Examination showed that the articles were short weight.)

DISPOSITION: April 27, 1953. The S. S. Pierce Co., Boston, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

FLOUR

20505. Adulteration of flour. U. S. v. Autry Greer & Sons, E. Sumner Greer, J. Barton Greer, and Autry V. Greer. Pleas of guilty. Fine of \$75 against each defendant. (F. D. C. No. 34844. Sample Nos. 22218-L, 22549-L, 46228-L.)

INFORMATION FILED: June 4, 1953, Southern District of Alabama, against Autry Greer & Sons, a partnership, Mobile, Ala., and E. Sumner Greer, J. Barton Greer, and Autry V. Greer, partners in the partnership.

ALLEGED VIOLATION: Between September 25, 1951, and October 23, 1952, while quantities of flour were being held for sale on the premises of Autry Greer & Sons, after shipment in interstate commerce, the defendants caused a number of bags of the flour to be placed in a building that was accessible to rodents and caused the flour to be exposed to contamination by rodents, which acts resulted in the flour being adulterated.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 12, 1953. Pleas of guilty having been entered, the court fined each defendant \$75.

20506. Adulteration of flour. U. S. v. 68 Bags, etc. (F. D. C. No. 35335. Sample Nos. 51964-L, 51965-L.)

LIBEL FILED: June 25, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about May 5, 1953, from Buffalo, N. Y.

PRODUCT: 68 100-pound bags and 24 100-pound bags of flour at Newton, N. J., in possession of Fogelson Bros., Inc.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent urine and insects in the 68-bag lot and live insects in the 24-bag lot; and, Section 402 (a) (4), the article in the 68-bag lot had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 21, 1953. Default decree of condemnation and destruction.

20507. Adulteration of soy flour. U. S. v. 82 Bags * * *. (F. D. C. No. 35425. Sample No. 62717-L.)

LIBEL FILED: July 9, 1953, Western District of Tennessee.

ALLEGED SHIPMENT: On or about November 20, 1952, from Decatur, Ill.

PRODUCT: 82 100-pound bags of flour at Memphis, Tenn., in the possession of the Vaiden Warehouse.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta and rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 17, 1953. The A. E. Staley Mfg. Co., Decatur, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for conversion into stock feed, under the supervision of the Department of Health, Education, and Welfare.